



Economic Impact Analysis Virginia Department of Planning and Budget

22 VAC 40-330 – Collection of Overpayments in the Refugee Other Assistance Program
Department of Social Services
February 13, 2006

Summary of the Proposed Regulation

The Board of Social Services proposes to repeal the regulation governing the collection of overpayments in the Refugee Other Assistance Program (22 VAC 40-330). The Refugee Other Assistance Program is an obsolete terminology that was used by Virginia Department of Social Services (VDSS) for Refugee Cash and Medical Assistance programs. Currently the collection of overpayments from participants in the Refugee Cash and Medical Assistance programs is regulated by the Temporary Assistance for Needy Families (TANF) regulation (22 VAC 40-295).¹

Results of Analysis

There are no costs or benefits related to the proposed action.

Estimated Economic Impact

As part of the Refugee Resettlement Program, the Refugee Cash and Medical Assistance Programs have been funded by the federal government since 1981. For reporting purposes, the terminology “Refugee Other Assistance Program” has been used by VDSS for these services. The state regulation dealing with the collection of overpayments in the Refugee Other Assistance program (22 VAC 40-330) was a sub-part of the Aid to Families with Dependent Children (AFDC) regulation.

The passage of the Personal Responsibility and Work Opportunities Reconciliation Act in 1996 moved the AFDC federal match program to a TANF block grant program. This had an indirect effect on federal reporting requirements for Refugee Cash Assistance because federal

¹ The collection of overpayments in the Refugee Cash and Medical Assistance Programs is stated in 22 VAC 40-295-120.

rules require states to allocate costs, both direct and indirect, appropriately between the Refugee Resettlement Program and other programs which it administers. As a consequence, VDSS eliminated the single Refugee Other Assistance Program designation in 1999, and created the two separate designations for Refugee Cash Assistance Program (RCA) and Refugee Medical Assistance Program (RMA).

Rules governing AFDC have been consolidated into one TANF regulation (22 VAC 40-295), which covers the rules for the collection of overpayments in the Refugee Cash and Medical Assistance Programs.² However, 22 VAC 40-330 was amended and remains as the regulation governing the collection of overpayments in the Refugee Other Assistance Program. According to VDSS, the collection of overpayments for the Refugee Cash and Medical Assistance programs has been regulated by the TANF regulation. Therefore, VDSS proposes to repeal the obsolete regulations on the collection of overpayments in the Refugee Other Assistance Program (22 VAC 40-330). This proposed change is not expected to have any economic impact.

Businesses and Entities Affected

The proposed regulatory change will not affect any businesses or entities, since currently the collection of overpayments payments for the Refugee Cash and Medical Assistance programs is regulated by the TANF regulation.

Localities Particularly Affected

The proposed regulation is not expected to uniquely affect any particular localities.

Projected Impact on Employment

The proposed regulation is not expected to have any impact on employment in Virginia.

Effects on the Use and Value of Private Property

The proposed regulation is not expected to have any impact on the use and value of private property in Virginia.

Small Businesses: Costs and Other Effects

The proposed regulatory change is not expected to have any impact on small businesses.

² Ibid.

Small Businesses: Alternative Method that Minimizes Adverse Impact

The proposed regulatory change is not expected to have any impact on the small businesses.

Legal Mandate

The Department of Planning and Budget (DPB) has analyzed the economic impact of this proposed regulation in accordance with Section 2.2-4007.H of the Administrative Process Act and Executive Order Number 21 (02). Section 2.2-4007.H requires that such economic impact analyses include, but need not be limited to, the projected number of businesses or other entities to whom the regulation would apply, the identity of any localities and types of businesses or other entities particularly affected, the projected number of persons and employment positions to be affected, the projected costs to affected businesses or entities to implement or comply with the regulation, and the impact on the use and value of private property. Further, if the proposed regulation has adverse effect on small businesses, Section 2.2-4007.H requires that such economic impact analyses include (i) an identification and estimate of the number of small businesses subject to the regulation; (ii) the projected reporting, recordkeeping, and other administrative costs required for small businesses to comply with the regulation, including the type of professional skills necessary for preparing required reports and other documents; (iii) a statement of the probable effect of the regulation on affected small businesses; and (iv) a description of any less intrusive or less costly alternative methods of achieving the purpose of the regulation. The analysis presented above represents DPB's best estimate of these economic impacts.